

1 Q Now I want to direct your attention to what is -- what
2 appears as Exhibit 1 and I know you've taken a brief
3 look at it before and again if you could just take a
4 brief look at it. My question to you at this point is
5 who drafted Exhibit 1?

6 A I believe Mr. Becker was the one who had the most
7 knowledge about the antennas and so forth and the
8 history of it with the parabolics and he was the one
9 who that basically put the technical words in order
10 here. And I agreed to those, having read it.

11 Q So you did not draft Exhibit 1, you reviewed it?

12 A That is correct.

13 Q Did you alter it in any way?

14 A I do not believe so.

15 Q Now with respect to paragraph one I just want you to
16 read to yourself the very last paragraph that appears
17 on Page 1 of that Exhibit and then we can talk a little
18 bit about it. With respect to the fourth paragraph of
19 Exhibit 1, it states in the first sentence that K285AA
20 is barely on the air and as you go a little bit further
21 into it it appears that Peninsula tried to install or
22 did install two stack yagi receiving antennas. We
23 talked about those earlier. But that the signal was
24 very weak and subject to frequent fading and that the
25 noise and fading was simply unacceptable for broadcast

1 use. If you go down a little bit further, it also
2 indicates that the signal propagation path apparently
3 for the broadcast station to be received it says, is,
4 quote over the horizon, end quote. And includes two
5 mountain ranges which also obstruct the signal. Would
6 -- would it be a correct understanding then that the
7 yagi antennas were not actually in a direct line of
8 site to the sending?

9 A That is not correct.

10 Q That is not correct.

11 A That is not correct. My understanding is that they
12 were still -- they were basically at the same site but
13 you're comparing the efficiency of a parabolic, Mil.
14 Spec. antenna costing I don't know how much originally,
15 be much more sensitive than even the yagi's but when
16 you compare the two I can see where that paragraph
17 would, you know, it was not as booming a signal as it
18 was with the parabolics. At times it could be marginal
19 but when I was there and listened to those and those
20 two yagi's, it was working. It was, you know, we just
21 wanted to ensure that because this was a new setup
22 again, right in the middle of all this happens, and
23 we're just trying to keep the public service going in
24 that particular area and so it was somewhat marginal
25 compared to the previous way of having to do it. But

1 we wanted to keep the package in tact and it was -- it
2 could still be working and still be on the air that way
3 and working but it was -- it's not the best ideal
4 compared to the opportunity that was now available
5 which had changed because of satellite up and down
6 link. And that was used at Seward and so the request
7 was it's already available, in place, why could we not
8 do it and ensure the stability of that particular place
9 with the -- with this signal delivery via satellite.

10 Q So the thought behind this application was, in a sense,
11 and I'm paraphrasing so correct me if I don't
12 understand this right, that because the Seward
13 translators were able to get their signals via
14 satellite that the same should be used for Kodiak and
15 they could get their signals via satellite?

16 A That was my understanding of it and that would be the
17 better than the yagi's but the yagi's were still
18 workable. But compared to a satellite could do or the
19 previous parabolic since that was out of the question
20 now could do, the better would be the satellite as
21 opposed to the twin yagi's that were up there working
22 but they were workable. And again we're trying to look
23 at technical excellence here in terms of sound. We're
24 real critical, some of us engineers are, and so we
25 found it to be much more advantageous to the listening

1 audience to have that with via satellite.

2 Q Now some of the other exhibits that appear and we'll
3 just go through them one by one. Exhibit 2 appears to
4 be a newspaper article that bears a date of March 18,
5 1997 or, yeah, 1997. Is this a newspaper article that
6 you supplied to counsel or so far as you know it was
7 something Peninsula supplied?

8 A No it was -- it was from Peninsula because they had the
9 papers that they would get and that was from Peninsula
10 as well as background. Again, to support the evidence
11 of what was to document, why it was needed.

12 Q We go to Exhibit 3 and there's a letter that's dated
13 March, or excu -- yeah, March 5, 1997 and it is
14 addressed to Mr. Becker and it appears to be from a
15 David T. Peters (ph), Lieutenant Colonel, USAF. So I
16 take it that this is something Peninsula supplied?

17 A Yes. That was to document the fact that those towers
18 were coming down.

19 Q Exhibit 4, on May 14, 1997 letter addressed to Mr.
20 David Becker, signed by William A. Maloney (ph), city
21 clerk of the City of Kodiak. I take it this was
22 supplied by Peninsula?

23 A Correct.

24 Q And Exhibit 5 is a copy of a Peninsula license so that
25 was supplied by Peninsula?

1 A That was supplied, that's correct.

2 Q In Exhibit Number 6 which is one handwritten has a date
3 of 5/22/97 but it appears to bear an earlier date for
4 an FCC form 349, September 18, 1991 and it also bears a
5 title of Exhibit A-2. I take it this document came
6 from Peninsula?

7 A Correct.

8 Q Exhibit 7A, which is a license for Peninsula, I take it
9 this came from Peninsula?

10 A Correct.

11 Q Exhibit 7B, likewise a license to Peninsula?

12 A Yes.

13 Q That came from Peninsula as well?

14 A Yes.

15 Q And Exhibit 8 which bears a handwritten date of 5/22/97
16 but which reflects -- it's a letter from the Federal
17 Communications Commission dated February 18, 1992 and
18 it's addressed to Peninsula, I take it Peninsula
19 supplied this exhibit?

20 A Correct.

21 Q Now if you could please tell me what Exhibit 9 is.

22 A Yes, Exhibit 9 is a copy of the Willheight research
23 audience measurement survey done for the listening
24 audience survey, done by Willheight for the Kodiak
25 area.

1 Q And if you could give me a rough idea of what all those
2 numbers mean.

3 A Well it's basically just showing who has the
4 listenership ear, the ear of the audience basically is
5 all it's saying. And at that point in time it's just
6 showing the various stations that were -- that were in
7 Kodiak and their ratings done by Willheight.

8 Q What is it that you understand those stations to be?

9 A KJZZ and KBOK, the stations in Kodiak, and then KPEN
10 and KMXT as well, the public station. And it's just
11 showing the audience breakdown of listenership for all
12 those stations there.

13 Q So the radio audience is essentially divided among
14 those five stations?

15 A That is correct.

16 Q And I take it this was a document that Peninsula
17 supplied?

18 A Yes. They had access to that.

19 Q Now the front page reflects a copy of a check, Number
20 7551, drawn on the account of David Buchanan and Judith
21 Buchanan, and the check appears to bear a signature.
22 Can you identify it?

23 A That is my signature and my check.

24 Q Was the \$520 that is reflected as going to the Federal
25 Communications Commission via this check reimbursed by

1 Peninsula in any way?

2 A No it was not. That was from my separate entity for me
3 to cover the applications. We made a decision that
4 Coastal would be the entity asking the request. That
5 is my own money.

6 Q And with respect to check 7550 I take it your answer
7 would be the same?

8 A The same.

9 Q Now I want to show you something with respect to the
10 application that follows check number 7550 and this
11 appears to concern the application for the other Kodiak
12 translator, that being K274AB and what I want you to do
13 is take a look at Exhibit 1 and again, the focus is
14 going to be on the fourth paragraph.

15 A Which paragraph again?

16 Q The fourth paragraph. According to this paragraph it
17 represents that at the time the exhibit was prepared,
18 that is May 23, 1997, K274AB was off the air. Is that
19 consistent with your recollection?

20 A I believe it was for just a very short period of time
21 because then the yagi's went up.

22 Q Now along those lines if you would take a look at the
23 second sentence of the fourth paragraph, just read it
24 to yourself. Now as I read that sentence, it appears
25 to me that the yagi's were not able to bring in a

1 sufficient signal in order to allow continued
2 operation.

3 A Apparently at that point, I remember seeing those and
4 they were working when I saw them. So it may have been
5 the time when it was, again, Mr. Becker wrote that and
6 it was the assessment at the time that he did that.
7 The goal was to remedy that situation so we could move
8 on with compliance for the sale.

9 Q Now did you have any understanding as to when, if ever,
10 K274AB went back on the air?

11 A It wasn't too long ago because there was another
12 delivery signal was put on those to keep them on the
13 air.

14 Q By another delivery signal, are you referring to a
15 different primary station?

16 A I believe so.

17 Q In other words instead of K274AB receiving a Peninsula
18 station from the mainland, from the Kenai Peninsula,
19 K274AB received a signal from some place else?

20 A I believe just for a short interim there.

21 Q Now the next document I want you to look at, if you
22 need a break just say so.

23 A No, I'm doing fine.

24 Q Okay. The next document I would like you to look
25 at is dated November 6, 1997 from the Federal

1 Communications Commission to Jeffrey D. Southmayd
2 to Coastal and to a person named David Tillitson
3 (ph). It is a five page letter and it bears the
4 signature of Linda Blair and we can go off the
5 record while you look at that.

6 THE REPORTER: Off the record.

7 (Off record at 12:16 p.m.

8 THE REPORTER: On the record.

9 (On the record)

10 Q Mr. Buchanan, with respect to the November 6, 1997
11 letter which you just had a chance to look at, it does
12 reflect that it is addressed to, among other entities,
13 Coastal Broadcast Communications, Inc., I take it that
14 you received a copy of this letter at, or shortly
15 after, the date.....

16 A I believe so, yes.

17 Q of November 6, 1997. Now, upon receiving this
18 letter, I take it you read it?

19 A Yes.

20 Q And I know this is going to be a bit of a memory test
21 but if you could relate what your understanding of the
22 letter was.

23 A I may hold it and I really have to jog on this one.
24 Again this is I believe the opposition's -- another
25 attempt to keep the transfer and the sale from going

1 on. They maintained that all along that there was
2 nothing to be sold.

3 Q And the letter addresses that point does it not?

4 A Yes it does and I believe it says that they are valid
5 to be sold.

6 Q Okay. And did the -- did you understand the objectors
7 to the transaction to have a second argument?

8 A Well first was the -- even the sale. The second
9 arrangement of financing and the second one was because
10 of their view and again, these were not valid.

11 Q And the letter addressed that?

12 A I believe so.

13 Q The letter basically denied those arguments did it not?

14 A Yes, that's correct. But that's a rebuttal back to
15 them I believe.

16 Q Now does this letter in any way address the June 1997
17 applications to deal with the Kodiak situation?

18 A I do not believe so.

19 Q And did you have any understanding as to whether or not
20 subsequent renewal applications, that is applications
21 that were filed in 1997, had in fact been filed by
22 Peninsula?

23 A Another renewal, these were based upon -- that renewal
24 applications which I felt was a new twist I think.

25 Q Well so.

- 1 A It was not being contingent upon the applications.
- 2 Q Right. Contingent upon the 1997 application being
- 3 found acceptable, right?
- 4 A I believe so.
- 5 Q So in other words we have the letter -- the letter
- 6 addresses the 1995 renewal applications and says
- 7 they're okay, right?
- 8 A That's how I understood it.
- 9 Q And it says the assignment application is okay, right?
- 10 A Yes.
- 11 Q But it doesn't address the Kodiak applications to
- 12 modify the signal delivery method.
- 13 A No I believe that was under that separate application.
- 14 Q There was another application that was not addressed in
- 15 this letter.
- 16 A Other than the fact that the Kodiak station is listed
- 17 in relationship to on the front cover.
- 18 Q Correct. And then there is the condition attached to
- 19 this letter that you cannot consummate until the 1997
- 20 renewal applications are found acceptable?
- 21 A I believe that -- that's where I got a little snowed
- 22 when it came to this point. Yeah, I believe that's
- 23 what it was. Because there were things going on with
- 24 the licenses which go back again. Now these -- the
- 25 licenses became -- the sale is now tied to the renewal

1 of licenses because of the time lapse and this is where
2 it got real muddy for me. And that's basically my
3 comment on that.

4 Q Now did you discuss this letter with anyone following
5 your receipt of it?

6 A If I did it was with Mr. Becker, trying to figure out
7 what was going on. Because at every turn, again, there
8 was an opposition to always put something in to keep
9 this from happening. And we were trying to be in
10 compliance and every time we would do something to be
11 in compliance, you know, things were being changed.
12 And the competition, every chance they would get an
13 opportunity, they would, you know, what we felt, at
14 least what I felt too was for unreasonable causes.

15 Q Essentially they were trying to kill the deal?

16 A Yes, yes. They did from day one they were trying to
17 kill the deal. They didn't like the fact that Mr.
18 Becker was successful. They had the opportunity from
19 day one, as I saw it, to put translators in when it was
20 wide open and they could have done the very same thing.
21 Mr. Becker took the opportunity and did it. And he's
22 growing, he's getting listenership audience by the
23 Willheight surveys, even Arbitron ratings and so forth.
24 He's getting more listenership share because he was, I
25 want to use the term aggressive, but not anymore than a

1 wise business person would do.

2 Q Aggressive in so far as the rules allowed him to be?

3 A That's right. Allowed him to do that. And the history
4 and the grandfathering of all those stations that he
5 was originally one of the first ones in, and doing
6 these things. He was just continuing what he had been
7 doing for years but looking out, seeing that the
8 audience and the needs were met for expanding those --
9 the needs for the listenership.

10 Q I want to digress for a second because you mentioned
11 the term grandfathering. Did you understand at any
12 point in time there may be a time limit to the
13 grandfathering of any of the stations?

14 A No I did not understand that to be whatsoever. I felt
15 that they were granted for construction permits and
16 granted for continued operation. And then when you put
17 in the factor of the Wrangell group, you know,
18 exceptions to Alaska, that these were in place and they
19 were, and I understood to be irrevocable.

20 Q Okay. You understood that any waiver of the rules that
21 the Commission may have given in order to allow these
22 translators to be there in the first place could never
23 be taken away.

24 A They were continued.

25 Q I see.

1 A And the history seems to prove that through the
2 eighties all the way through the nineties to the point
3 this was -- and that's why the, in the back of my mind,
4 I would just even sometimes question, what is the
5 Commission doing here. But we're trying to be in
6 compliance but still at the same time figure what's the
7 rationale behind all this other than competitors
8 complaining.

9 Q All right. Now, from a time standpoint it appears to
10 me that this letter was issued one year and two days
11 after the Asset Purchase Agreement was signed, correct?

12 A Yes, pretty close, yes.

13 Q November 4, 1996 and November 6, 1997.

14 A Right.

15 Q That's a year and two days and in the mean time there
16 was another Commission ruling that required you to
17 change your financing method but you did that.

18 A Right, we were trying to be in compliance every way we
19 could.

20 Q Now we did notice though that this letter imposed a
21 condition that had not been noted previously and that
22 is that consummation could not take place until the
23 staff or the Commission ruled on the 1997 renewal
24 applications, correct?

25 A Yes and that was the new twist that now these were

1 being connected to renewals. Where before, they were,
2 again, I felt at this point that the goal posts were
3 again being moved.

4 Q I want to show you a document that bears a stamp date
5 at the Commission of December 30, 1997 and it's
6 regarding the Peninsula Communications, Inc.
7 applications for renewals of various translators and
8 the title of the document is Opposition to Application
9 for Review. And basically what I'd like you to do is
10 just look at the first paragraph which begins on Page 1
11 and extends over to Page 2 and then if you would skip
12 to Page 8. And when you're finished reading those two
13 portions I can ask you some questions. We can go off
14 the record.

15 THE REPORTER: Off the record.

16 (Off record at 12:37 p.m.)

17 THE REPORTER: On the record.

18 (On record)

19 Q Now first off, with respect to this document
20 application -- opposition to application for review,
21 Mr. Buchanan have you seen this document before today?

22 A I can't recall. I don't -- I may have a copy of it but
23 I did not receive it from the Commission.

24 Q Now do you have any -- I realize you didn't read the
25 whole document.....

1 A Right.

2 Qbut do you have any understanding from what you
3 did read as to what this document is trying to do?

4 A I think it's -- it's just a restatement saying that the
5 Commission finds that Peninsula does have ownership of
6 valid licenses to be sold and transferred over. That's
7 my gist of it. The opposition has always contended
8 that there wasn't any and they keep bringing that up as
9 their main point of focus but here the Commission is
10 saying no, that's how I understand it.

11 Q Did Mr. Southmayd ask you whether or not you approved
12 of this document prior to its filing?

13 A No I do not. I was not a party of that.

14 Q Did Mr. Becker ask you whether or not you approved the
15 filing of this document before it was filed?

16 A I don't believe there's any discussion at that point.
17 Because that was -- I was not a party to that because I
18 believe it was part of the primary focus on Peninsula
19 at that point in time and it was just a clarification,
20 I believe, that they were trying to get for Peninsula
21 and therefore I was not a party to that.

22 Q Now looking at the last paragraph that appears on Page
23 8 here, the way that paragraph reads to me, and you can
24 tell me if you have a different interpretation, is that
25 Peninsula thought that what the chief of the audio

1 services division did on November 6, 1997 was
2 appropriate. I believe the wording used is fair and
3 consistent with the Commission's rules and policies.

4 A It does say fair and consistent here but the facts and
5 existing --

6 Q This is something that, so far as you can recall, you
7 were not consulted about prior to the filing of this
8 document?

9 A No I do not believe so. If I did I may have seen it a
10 copy but at this time, again, I was -- because of the
11 time frame I'm trying to get a corporation together and
12 operational and this was something for Peninsula to
13 clarify with them as terms because of the competition's
14 constant objections that there was nothing valid to be
15 done.

16 Q Now next I want to show you letters that appear to
17 pertain to the Kodiak situation and you don't have to
18 study these. My basic question to you is whether you
19 had seen any of the material here prior to its
20 submission to the Commission on August 26, 1998? We
21 can go off the record.

22 THE REPORTER: Off the record.

23 (Off record at 12:37 p.m.)

24 THE REPORTER: On the record.

25 (On record)

1 Q Now what I handed you was and what you looked at is a
2 letter and then materials associated with that letter.
3 And the letter in question bears a date of August 26,
4 1998 and it pertains to the translator situation of
5 Kodiak. And my question to you is whether you had any
6 role whatsoever in the preparation of this letter
7 and/or the underlying material?

8 A No I did not.

9 Q Did you receive a copy of this letter on or shortly
10 after the date that appears on the letter, that is
11 August 26, 1998?

12 A I don't recall.

13 Q Now along those lines, the letter does not reflect by
14 cc that it was sent to you and you have no independent
15 recollection that such was sent to you.

16 A No, I believe it was new. I think that's new to me
17 today, I believe so.

18 Q Now Attachment C to the letter is another letter that
19 is dated November 12, 1997 and it was sent to the
20 Federal Communications Commission signed by Jeffrey D.
21 Southmayd and the first of such letters, there are two,
22 the first one pertains to K274AB Kodiak and I was
23 wondering if a copy of this November 12, 1997 letter
24 had been sent to you on or about the time it was
25 submitted to the Commission?

1 A I do not know. I'd have to dig through. I may have a
2 copy of it.

3 Q Do you have any recollection as to whether or not you
4 had any input into this letter?

5 A I did not have any input on that at all.

6 Q And would that be the same -- would you give the same
7 answer with respect to the letter pertaining to K285AA?

8 A I believe that would be for the other translator but
9 no, I do not have any input on that.

10 Q Next I'm showing you what follows Attachment D, and
11 it's a letter that bears the date of December 11, 1997.
12 It pertains to station K274AB. It's addressed to the
13 Federal Communications Commission and it's signed by
14 Jeffrey D. Southmayd. My question to you is whether
15 Coastal had anything to do with the preparation of this
16 letter?

17 A No I do not. And I did not have any input.

18 Q And the same would hold true for the December 11, 1997
19 letter concerning K285AA?

20 A That's correct.

21 Q Now the next letters that I'm showing you are basically
22 there are -- although they're separate letters I'm
23 showing them to you together because they're so close
24 in time. First of all if you could please identify the
25 letters that I'm showing you.

1 A These are on Coastal Broadcast letterhead dated
2 November 8, 1988.

3 Q 1998?

4 A I'm sorry, 1998, I'm sorry, to Mr. Becker.

5 Q Now the first letter that you're looking at, the
6 November 8 letter, reflects the copies were sent to
7 various people?

8 A That's correct.

9 Q And those people are?

10 A The Honorable Frank Murkowski, Senator and Honorable
11 Ted Stevens from Alaska and Representative Don Young.

12 Q Do you know whether a copy of this letter was sent to
13 anybody else?

14 A No I do not. This is the only place it went to as far
15 as I understand in copies.

16 Q And then how about the second letter? What is that?

17 A It's a letter to the Honorable Ted Stevens on Coastal
18 Broadcast Communications letterhead dated November 10,
19 1998. And it's a letter basically requesting Senator
20 Stevens to get some input to see what was holding up
21 the Commission and what we felt were inordinate delays
22 in this whole process that had gone on and gone on.
23 And I didn't know if there was anything that could have
24 been done and that was just a letter basically out of
25 frustration.

- 1 Q Now the November 8 letter, had you told Mr. Becker
2 before the letter was sent to him that you were going
3 to be sending copies of this letter to the two senators
4 and the congressman?
- 5 A I don't know if I did or not. I may have.
- 6 Q So his first notification, first formal notification
7 that was done would have been when he received this
8 letter?
- 9 A That's correct.
- 10 Q Assuming that he did in fact receive it?
- 11 A Right.
- 12 Q Right. And as far as the November 8 letter is
13 concerned, I didn't ask this before but is that your
14 signature at the bottom?
- 15 A Yes it is.
- 16 Q And with respect to the letter sent to -- I take it it
17 was sent to Senator Stevens?
- 18 A That's correct.
- 19 Q The November 10 letter and on the second page there is
20 a signature that appears.
- 21 A Yes my signature.
- 22 Q Do you know whether copies of this letter were sent to
23 anybody else?
- 24 A No I do not. Those were not -- only sent to Senator
25 Stevens and a letter to Mr. Becker.

1 Q The next document I want to show you is FCC98-314.
2 It's a Memorandum of Opinion and Order regarding
3 applications of Peninsula Communications, Inc. and it
4 bears a release date of December 10, 1998. We can go
5 off the record while you look at that.

6 THE REPORTER: Off the record.

7 (Off record at 12:50 p.m.)

8 THE REPORTER: On the record.

9 (On record at 12:52 p.m.)

10 Q I realize this is getting to be confusing because
11 you're now on probably about your fifth or sixth legal
12 statement from the Commission but bearing in mind that
13 this document was released December 10, 1998 and we
14 have been trying to go along pretty much in time
15 sequence in order to help fix in time and in
16 everybody's mind everything that is going on here. Did
17 you receive a copy of this document at or about
18 December 10, 1998?

19 A I do not believe so. This is -- I may have in my file
20 but I do not recall the length of this. I do remember
21 getting something from the Commission concerning the
22 official conclusion that Coastal's minor modification
23 applications for the translators were denied.

24 Q All right. And if I were to represent to you that this
25 was the only Commission document.....

1 A Then this must be it.

2 Qmade at statement.

3 A Then it must be in this statement because I remember
4 realizing that the -- those were denied.

5 Q The Kodiak?

6 A The Kodiak supplemental delivery systems were denied.

7 Q And did you also -- do you also recall whether or not
8 any question or concern was raised about the continued
9 viability of the Seward translators as a result of this
10 Commission order?

11 A No, I still thought they were valid, I guess. Maybe in
12 my reading or.....

13 Q Along those lines, if you will, you can take some
14 additional time here and we can go off the record
15 again. I want you to look at Paragraph 14. We can go
16 off the record.

17 THE REPORTER: Off the record.

18 (Off record at 12:43 p.m.)

19 THE REPORTER: On the record.

20 (On record at 12:55 pm..m)

21 Q Having reread Paragraph 14 does that refresh your
22 recollection as to what the situation with the Seward
23 translators was?

24 A Well that paragraph there, as I comprehend it now, does
25 state that that they would be allowed. But somehow I

1 still don't remember seeing that document, I'll be
2 honest with you.

3 Q Very good. Now assuming for the moment that you did
4 not see or read the Memorandum of Opinion and Order,
5 FCC98-314 at or shortly after December 10, 1998, did
6 you have any conversations with Mr. Becker as to what
7 appeal, if any, or what reconsideration, if any, should
8 be taken with respect to a Commission decision?

9 A Not that I recall.

10 Q Now along those lines I want to show you a document
11 that is -- the first page bears the caption or title of
12 -- title rather of Summary of Petition for
13 Reconsideration. It was received at the Commission on
14 January 11, 1999. It's in rate and it's with
15 Communications, Inc. and if you would please, all you
16 have to read is the summary itself. What follows is
17 the actual petition for reconsideration but I believe I
18 can base the questions that I need to on the summary.
19 THE REPORTER: Off the record?

20 Q Yes.

21 (Off record at 12:53 p.m.)

22 THE REPORTER: On the record.

23 (On record at 12:55 p.m.)

24 Q Mr. Buchanan, the document that I showed you, have you
25 ever seen this before today?

1 A No I haven't.

2 Q So I take it it would be appropriate and fair to say
3 that you did not approve the filing of this document?

4 A I didn't know that, let's see, there was so much going
5 on. I -- I do not know that it was done. I did not
6 have any input on that.

7 Q Well, that's fair. One of the things that the document
8 appears to do is seek reconsideration of the
9 Commission's decision to deny Coastal's modification
10 applications with respect to the Kodiak translators.
11 Do you see that?

12 A Yes I understand that.

13 Q And do you have any explanation as to why it is that
14 Peninsula is seeking reconsideration of that decision
15 rather than Coastal since they were Coastal's
16 applications?

17 A Only thing I can surmise is the fact that, you know,
18 just to expedite the sale so we could go on and be in
19 compliance and resolve this. All I can think of is
20 another voice being heard.

21 Q Well I guess what I'm curious about is to why it is
22 that Peninsula and not Coastal is seeking
23 reconsideration of the denial of Coastal's
24 applications?

25 A I'd really have to ask Coast -- or Peninsula I guess.